

## **2. Remarks/Discussion of Issues:**

### ***Claim Summary***

By this amendment, claims 6-11 have been canceled, without prejudice and without disclaimer of the subject matter, and claim 3 has been amended to correct a minor informality.

Claims 1-3, 5 and 12 are pending in the application. Applicants respectfully submit that all pending claims are in condition for allowance.

### ***Allowed Claims***

Applicants note with appreciation that the Examiner has allowed claims 1-3, 5 and 12. Although Applicants do not acquiesce in the rejection of claims 6-11 under 35 U.S.C. § 103(a) as being unpatentable over IWAMATSU (U.S. Patent No. 6,175,591), Applicants have cancelled claims 6-11, without prejudice and without disclaimer of the subject matter, in order to expedite passing the allowed claims of the present application to issue.

### ***35 U.S.C. § 103 Rejections - Claims 6-11***

The Office Action of August 11, 2008, rejects claims 6-11 under 35 U.S.C. § 103(a) as being unpatentable over IWAMATSU (U.S. Patent No. 6,175,591). Applicants respectfully submit that the rejection is moot in view of the cancellation of claims 6-11, without prejudice and without disclaimer of the subject matter.

### ***Conclusion***

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted on behalf of:

Agilent Technologies, Inc.

A handwritten signature in black ink, appearing to read 'V-C Ernest', is written over a horizontal line.

by: Van C. Ernest  
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Date: April 9, 2009

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